

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

CHRISTOPHER DANIEL McNOSKY,  
*Plaintiff,*

SVEN STRICKER,  
*Plaintiff,*

v.

TEXAS GOVERNOR RICK PERRY,  
*Defendant.*

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Case No. A13-CV-0631 SS

**DEFENDANT'S ANSWER TO PLAINTIFFS' FIRST AMENDED COMPLAINT**

TO THE HONORABLE SAM SPARKS:

Defendant Texas Governor Rick Perry makes this Answer to Plaintiffs' First Amended Complaint, and would respectfully show the Court the following:

**ANSWER**

Pursuant to Federal Rule of Civil Procedure 8(b), Defendant Perry denies each and every allegation contained in Plaintiffs' Amended Complaint except for those expressly admitted herein.

1. No factual allegations are made.
2. No factual allegations are made.
3. Deny.
4. Defendant lacks sufficient information to admit or deny.
5. No factual allegations are made.
6. Deny.

**DEFENDANT'S AFFIRMATIVE DEFENSES**

Pleading further, Defendant Governor Perry asserts that he is entitled to the following affirmative defenses:

1. Defendant asserts Eleventh Amendment immunity to all claims asserted herein.

**PRAYER**

Defendant Perry prays that Plaintiffs McNosky and Stricker go hence without day.

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Attorney General of Texas

DANIEL T. HODGE  
First Assistant Attorney General

DAVID C. MATTAX  
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s/ William T. Deane  
WILLIAM T. DEANE  
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***ATTORNEY FOR DEFENDANTS***

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing instrument has been sent via certified mail, return receipt requested on this 16<sup>th</sup> day of September 2013,  
to:

Christopher Daniel McNosky  
5108 Pleasant Run  
Colleyville, Texas 76034

Sven Stricker  
3047 Bent Tree Ct  
Bedford, Texas 76021

/s/ William T. Deane  
WILLIAM T. DEANE